

United States District Court
Western District of Texas
San Antonio Division

FILED

JUL -7 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES OF AMERICA

Sa-OG-Cr-801(2) OLG

vs

5:09-CR-801(2) OLG

Kevin A. Salvaggio

Judge Orlando L. Garcia

Nunc Pro Tunc
Clarification of Court's Intention

Comes now the Petitioner, Kevin A. Salvaggio, PRO-SE, and respectfully submits this nunc pro tunc motion in support of the the instant offense.

Please consider the date of the indictment, approximately September 20, 2009, while being held without bond; the sentence was to be run concurrently with the state sentence as imposed by Judge Rangel.

Mr. Salvaggio's original place of confinement was the Bexor County Jail; he was incarcerated on September 16, 2009. However, he was transferred by Writ of Habeas Corpus into federal custody on approximately September 20, 2009, and respectfully asks this court to recognize that date as the beginning of his federal sentence.

Mr. Salvaggio was confined on a federal charge as well as a state charge; he signed for his federal sentence on July 23, 2010. He then signed for his state charge on July 24, 2010. He was advised by counsel that this sequence of events would cause the sentences to run concurrently. Judge Rangel also recommended a concurrent sentence.

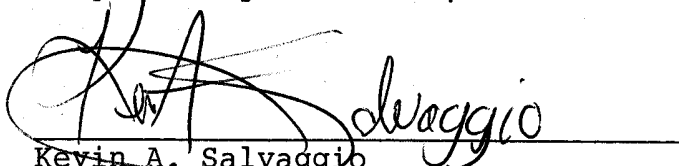
The defendant would like this court to take into consideration the following list of rehabilitation activities:

1. involvement in many re-integration classes (see exhibits)
2. current enrollment in the institution's 40 hour drug class
3. current enrollment in GED classes
4. full time employment in the BOP general maintenance department

If this Honorable Court grants the requested concurrent sentence, then the Petitioner will be eligible for the 500 hour Residential Drug Treatment Program which is not otherwise made available until about four years prior to release. According to the the Petitioner's calculations, he is presently not receiving credit for approximately 19 months of time served.

The Petitioner urges the court to give its strongest consideration toward ruling in favor of crediting the time served in question. The Petitioner's most fervent hope is to return to society and to his family as a productive member by becoming a chemical dependency counselor, helping others before they slip so far into addiction that they become incarcerated.

Respectfully submitted,


Kevin A. Salvaggio
#52277-280
FCI-Beaumont (medium)
P.O. Box 26040
Beaumont, TX
77720

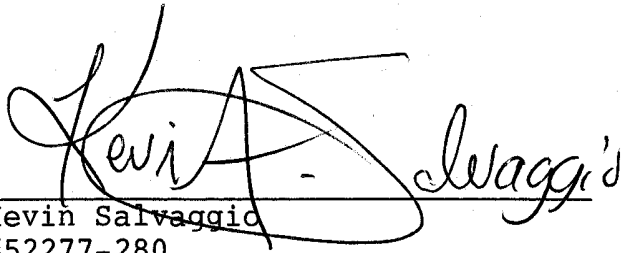
CERTIFICATE OF SERVICE

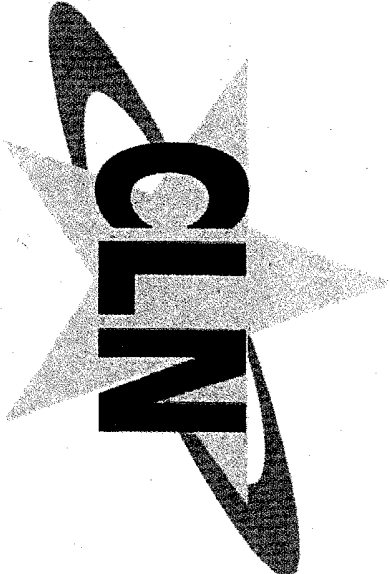
I, Kevin Salvaggio, do declare under penalty of perjury pursuant to 28 USC §1746 that I did deliver to prison officials three photocopies of the foregoing motion containing first class, prepaid postage and addressed to the following recipients:

William G. Putnicki, District Clerk
727 E. Durango Blvd., Suite A-500
San Antonio, TX
78206

Charles Strauss
601 NW Loop 410
San Antonio, TX
78216

Delivered this 30th day of JUNE, 2011.


Kevin Salvaggio
#52277-280
FCI-Beaumont (medium)
P.O. Box 26040
Beaumont, TX
77720



CLN Certificate of Completion

Kenn Salvaggio

is hereby recognized for quality work and participation in
"Success from the Inside Out" series, *Transition: Job Success*
and is awarded this certificate

Given this 8th day of May, 2011


Site Facilitator *Progan*



Certificate of Completion

Awarded to:

Kevin Salvaggio

For Successfully Completing Heads Up A.C.E. Class

On this date

June 21, 2011

FCIM Beaumont, Texas
Education Department


K. Herbrich, Education Specialist



Certificate of Completion

Kevin Salvaggio

is hereby recognized for quality work and participation in
"Success Ahead" series, *Ticket to the Future*
and is awarded this certificate

Given this 16th day of June, 2011

J. Grogan
Site Facilitator



Certificate of Completion

Awarded to:

Kevin Salvaggio

For Successfully Completing Tough Questions Straight Answers A.C.E. Class

On this date

May 19, 2011

FCIM Beaumont, Texas
Education Department


K. Herbrich, Education Specialist

Certificate of Completion

Awarded to:

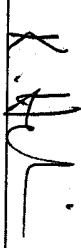
Kevin Salvaggio

For Successfully Completing How to Keep a Job A.C.E. Class

On this date

May 17, 2011

FCIM Beaumont, Texas
Education Department


K. Herbrich, Education Specialist

San Antonio 52277-280
Beaumont - medium
Box 26040
Texas 77720
JUL 5 2011
PM
BEAUMONT, TX

REC
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F

m. Oakes
William G
727 E. D
San Antonio

RECEIVED

JUL 07 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY bal
DEPUTY CLERK

LEGAL MAIL